



**West Virginia Uniformed Services and Overseas Citizen: Online Voting Pilot Project
Legislative Report
June 9, 2010**

West Virginia Secretary of State
Natalie E. Tennant

"[I] wanted to emphasize and stress having the ability to vote online is very much appreciated by this service member as well as others. Having the ability to quickly and easily exercise our right to vote in the military is paramount, along with ensuring we can partake in the voting process while separated from traditional means of voting. While mailing in a vote or other means are still available, having this option of on-line voting makes this process that much easier for military members..."

Major Sean L. Zinn United States Army, Marshall County, West Virginia

Introduction

In anticipation of federal requirements to improve ballot access for Uniformed Services members and overseas citizens, later incorporated into in the Military and Overseas Voter Empowerment Act of 2009 (MOVE Act), the West Virginia Legislature authorized the Uniformed Services and Overseas Voter Pilot Program. As part of that legislation, the Secretary of State was charged with evaluating the pilot program for functional effectiveness and to terminate the program should it fail to "adequately and securely ensure that absent uniformed services voters and overseas voters have their absentee ballots cast and counted in the primary election" (§3-3B-3 W.Va. Code). This report represents the initial evaluation of the pilot program and, to date, no significant deficiencies or concerns have been identified. Therefore, this document is crafted as a progress report with recommendations for project continuation through the General Election.

Following the November 2, 2010 General Election, the report to the legislature will include a full performance review, legislative and procedural recommendations, and a comprehensive analysis of MOVE Act solutions.

Executive Summary

Process

Five counties; Jackson, Kanawha, Marshall, Monongalia and Wood responded to a Request for Interest for the online voting pilot program issued by the Secretary of State. Prior to program acceptance, each county submitted a letter of request to participate in the pilot and agreed to the pilot program terms. Two voting system vendors, ScytI and Everyone Counts, applied to participate as project partners and were required to pass a

comprehensive screening process. Once the pilot counties and project vendors were identified, the Secretary of State's office moved into its capacity as the oversight body responsible for ensuring the pilot was conducted in accordance with the law. The individual counties were responsible for negotiating the specific terms of the pilot with their respective project vendor partners.

Once the pilot program began, 77 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters followed the following procedures to vote online:

To initiate the process, voters applied for an online ballot using the Federal Post Card Application (Attachment 1) or the West Virginia Electronic Voting Absentee Ballot Application (Attachment 2). The completed application is submitted to the local County Clerk for review and determination of eligibility. After the voter's absentee ballot application is approved, the Clerk provides the vendor with the voter's e-mail address and ballot content (the combination of offices and ballot issues associated with the voter's home precinct). The county clerk or partner vendor then e-mails the voter with a link to the secure voting website along with a unique personal identifier.

The voter enters the provided identifier, along with additional personally-identifying information, into the secure website in order to access the correct ballot. The ballot is marked in a manner similar to voting on an electronic voting machine, including the opportunity to see a ballot summary/review screen before completing the voting process. In order to complete the voting process, the voter selects the "Cast Vote" link on the website. The voter receives an onscreen confirmation that the vote has been cast and is provided with a "receipt code" that later may be used to track the progress of the ballot.

The "Cast Vote" function causes the voter's selections to be stored in an encrypted format on the host server. On election night, after the deadline for the receipt of voted ballots, the encrypted ballot data is transferred from the server to a stand-alone, non-networked computer for the decryption process. The county clerk and other designated "key holders" (typically County Commissioners) enter unique, self-selected passwords into this computer to initiate the decryption process. Only a combination of multiple passwords will unlock the data; these passwords were entered by each key holder at the time the election was set up prior to the beginning of absentee voting.

The decryption process disassociates voted ballots from any voter-identifying information. The decrypted ballots may at this point be printed for inclusion in the central count processing of all absentee votes. Votes cast online are processed in the identical manner as absentee votes cast by all non-UOCAVA voters; there is no segregation of these votes that could potentially reveal an individual's vote selections.

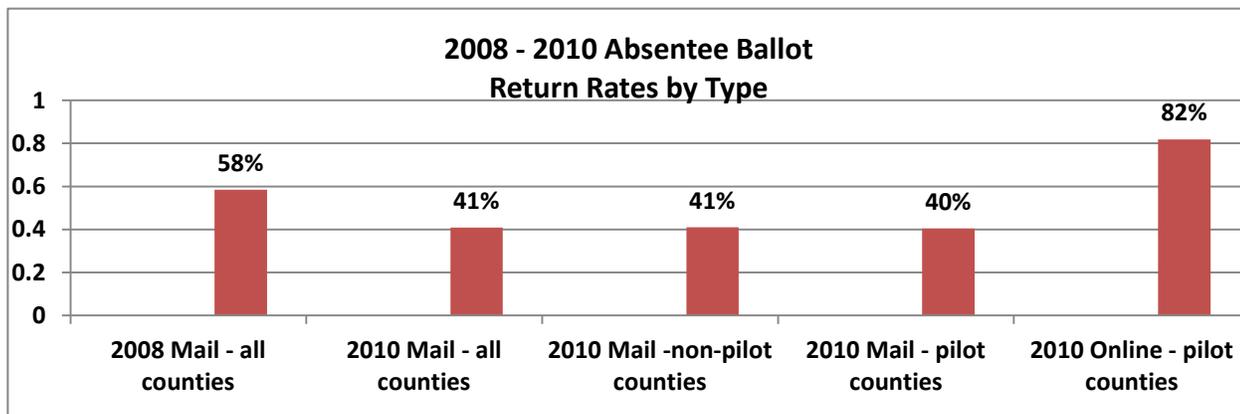
After the conclusion of the vote canvass process, the voter may use the "receipt code" provided at the time the vote was cast to ensure the ballot was received and processed. The county clerk may also use this function to verify the number of printed decrypted ballots matches the number of ballots received from online voters. Throughout the voting process, there are a number of status reports given to each clerk providing regular monitoring of online voting activity and ensuring the integrity of the system.

Results

Analysis of absentee voting data collected from County Clerks following the May 11, 2010 primary elections revealed several key statistics:

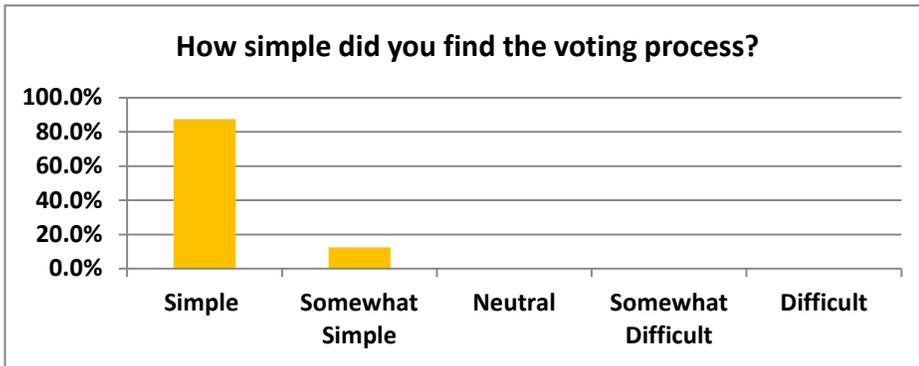
- 1) **The online absentee ballot return rate was twice the mail absentee ballot return rate.** This outcome is a promising indicator of the pilot satisfying the intended purpose, namely, providing uniformed service and overseas voters a safe, simple and timely way to cast a ballot in time to be counted.
- 2) **The five counties participating in the pilot experienced an actual increase in the number of UOCAVA voters compared to the 2008 primary elections.** This increase has been attributed to the targeted outreach efforts conducted by the Secretary of State and participating clerks. Outreach efforts included a broad media approach through national organizations such as the Federal Voting Assistance Program, the U.S. Department of State Embassy/Consulates Division, the Overseas Vote Foundation, and the political parties abroad. In addition, pilot county clerks met with local military units, promoted the pilot through local press and sent individual notices to prior UOCAVA voters. Project information was also made available on the Secretary of State’s website.
- 3) **The mail ballot return rate remained relatively consistent across the years surveyed (2008-2010) and across jurisdictions.** This statistic confirmed that the reported mail ballot return rate of approximately 40-50% was a reliable constant. This return percentage was reported by counties participating in the pilot as well as by non-pilot counties. Therefore, the **82%** return rate by online voters did not skew the mail ballot activity, but was indeed an indicator of improved voting success rates experienced by voters opting to use the online voting option.

It is worth noting that, based upon absentee applicant data, the voters utilizing the online system represented the full range of UOCAVA voters: uniformed service members, military dependents, overseas residents, and educators/students living abroad. This diversity extends to party affiliation and gender.

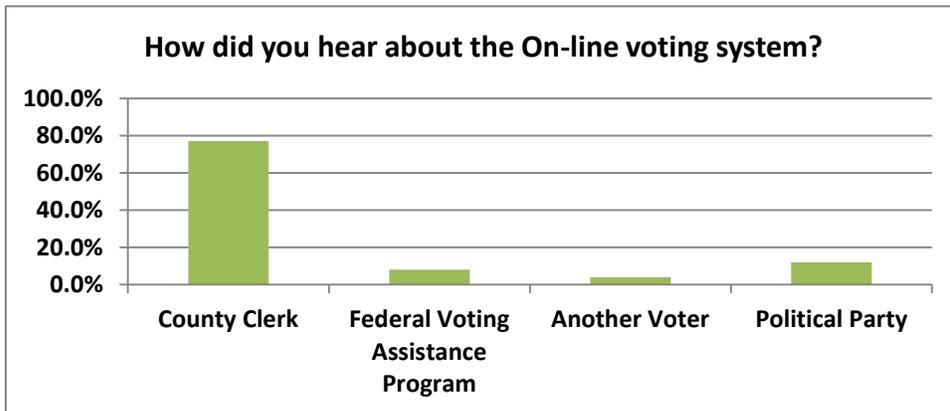


The Secretary of State’s Office sent out a survey (Attachment 3) to all participants of the pilot asking for feedback concerning the on-line voting process. To date, thirty three participants have responded providing first hand insight into how the process worked for the voter. Survey responses were received from voters of each of the five participating counties with consistent responses throughout. Shown below are some of the highlights from the survey responses:

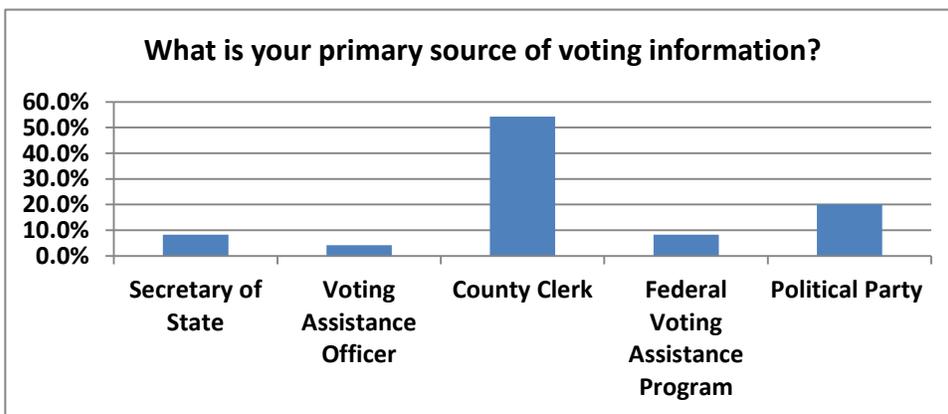
- 1) **Nearly 88% of respondents found the on-line voting system simple on a scale of simple-to-difficult,** with the remaining 12% saying the process was somewhat simple.



2) When voters were asked how they heard about the on-line voting pilot, 77% indicated their county clerk’s office, 12% - political party, 8% - the Federal Voting Assistance Program, and 4% - “another voter”. This result demonstrates the efficacy of the county clerks’ outreach efforts to the UOCAVA target audience.



3) Over 50% of survey respondents said that the county clerk’s office is the primary source of their voting information. That number is followed by political party with 20%, the Secretary of State’s Office with 8%, FVAP with 8% and Military Voting Assistance Officer with 4%.



Three items were specified in the *Program Element Confirmation Checklist* (Attachment 4): to protect the **security, integrity, and confidentiality** of personal data and ballots, as well as providing safeguards to the data that indicates how an individual voted.

Both systems used during the course of the Primary pilot programs provided security safeguards that met the specified requirements by encrypting and storing both types of data separately. Each system utilized secure transport to the website for each individual voter. All voters were given individual access codes specific to each voter. Once a voter cast his or her ballot, the ballot was secured using encryption and decryption techniques to store and summarize the data.

Each participating county had representatives from the vendors on site during Election Day to ensure that the pilot program ballots were properly decrypted and counted in the proper form.

Findings

The West Virginia Secretary of State's Office is leading the country with this bold initiative by providing our uniformed services and overseas citizens the ability to vote in a secure, efficient and timely manner. While the rest of the country is still working on their compliance with the MOVE Act of 2009, West Virginia has already implemented and received positive results from our pilot program. Our efforts have other states following our progress in hopes of duplicating our success. California and Georgia have contacted our office to learn about our process and program.

This pilot project is a collaborative effort between the Secretary of State's Office and County Clerks. This work resulted in an 82% return rate for online voters, which is twice the return rate for voters who used mail or fax. The voters found the online system simple and were proud they could use it. To quote Major Zinn, "...the ability to vote online is very much appreciated by this service member as well as others. Having the ability to quickly and easily exercise our right to vote in the military is paramount, along with ensuring we can partake in the voting process while separated from traditional means of voting." Of the 33 respondents of our survey, we received no negative feedback of the pilot program.

It is important to the Secretary of State's Office to make sure we include our uniformed services and overseas citizens in the election process. We often forget their great sacrifice and this is just one way to give back and make it easier for those who serve us each day. In Jackson County for instance, the turnout percent for military and overseas voters was nearly 50% compared to a 23% statewide turnout.

The integrity of the process was not compromised in the system during this pilot. As a matter of fact, during a demonstration in Kanawha County prior to the election, a number was transposed and the system caught the human error and denied access to the ballots.

This bold initiative could not have been possible without the responsive action of West Virginia lawmakers. We asked for this pilot project to be passed during a special session of the legislature because we needed to meet the deadline for the primary election. We thank you for your unanimous support of this legislation.

Given the overwhelming success, I hereby authorize this pilot project to continue for the 2010 General Election. Furthermore, I request that the application period be re-opened for more counties to participate in this pilot during the General Election. This would require lawmakers to amend the law during their upcoming special session in July.